IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21669 of 1995

Between:

M. Venkata Krishna Reddy S/o M. Savida Reddy
R/o 26/592-3, A.k Nagar, Nellore .

..... PETITIONER

AND

1. The Telecom,

District Engineer, Nellore.
2. Asst. Engineer of Phones,
Tikkana Bhavan , Nellore.
3. Accounts Officer,

Telephones (TR)
O/o Telecom District Engineer, Nellore .

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ an order or direction more particularly in the nature of the writ of mandamus declaring the action of the respondents in not considering the various representations submitted by the petitioner for rectifying the excess billing in respect of telephone No. 33457 and the further action of the respondents in not supplying the verification sheet (normal call billing record) along with each bill and the further action of the respondents in disconnecting the telephone as illegal, arbitrary, and unjust and consequently direct the respondents to restore the petitioner's telephone bearing No. 33457 Nellore and supply verification sheet regularly reflecting the tariff collected for each call and consequently directing the respondents to rectify the defect in excess billing after holding due enquiry and refund the excess amounts collected from the petitioner.

Counsel for the Petitioner: MR.P.SRIDHAR REDDY

Counsel for the Respondents: MR.RAMAKRISHNA RAO SIDDANATHI (SC FOR CG)

The Court made the following:

ORDER:

Assailing the action of the respondents in not considering the representation of the petitioner with regard to rectification of telephone bill and in connecting the telephone connection, the petitioner filed the present writ petition.

The writ petition was admitted on 27-09-1995. Thereafter, this Court by order dated 20-10-1995 directed the respondents to restore the telephone connection to the petitioner subject to the condition of his depositing half of the amount billed for the three bills, and further directed the respondents to supply the computerized verification sheet.

No counter affidavit is filed by the respondents. It is represented by the learned counsel for the petitioner that pursuant to the interim order passed by this Court and upon paying half of the billed amount as directed therein the respondents restored the telephone connection.

Inasmuch as, the telephone connection of the petitioner has been restored, and having regard to the fact that the interim order to restore the telephone connection was passed subject to depositing half of the billed amount, I deem it appropriate to dispose of the writ petition with the following direction:

The respondents shall look into the representations made by the petitioner with regard to excess billing and consider and dispose of the same with reference to the accounts/call details available with them and inform the petitioner, if any amount are still liable to be paid by him, after the amount paid by him pursuant to the interim order is given credit to, and in the event, the respondents come to the conclusion that excess billing has been made, to the extent of the excess billing, the

respondents shall adjust against the future bills of the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

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N.V. RAMANA, J.

Date: 4th October, 2004.

LSK/KSR

ASSISTANT REGISTRAR

To

1. The District Engineer,

Telecom Department,

Nellore.

2. The Assistant Engineer of Phones,

Tikkana Bhavan, Nellore.

3. The Accounts Officer,

Telephones (TR),

O/o. Telecom District Engineer, Nellore.

4. Two C.D. copies.